

Exmr. C. Mahatan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vega *et al.*
Serial No.: 10/022,249
Filed: December 17, 2001
Customer No.: 24961
Confirmation No.: 7196
For: *HIGH THROUGHPUT DIRECTED
EVOLUTION BY RATIONAL
MUTAGENESIS*
Art Unit: 1631
Examiner: Unassigned

RECEIVED
TECH CENTER 1500/2900
03 JUN -5 PM 2:42

TRANSMITTAL LETTER

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith are a Supplemental Information Disclosure Statement, Form PTO-1449 (1 page) and cited references for filing in connection with the above-identified application.

(X) The Commissioner is hereby authorized to charge any fees that may be due under 37 C.F.R. §§1.16-1.17 in connection with this paper or with this application during its entire pendency to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP

By: _____

Stephanie L. Seidman
Registration No. 33,779

Date: June 4, 2003

Attorney Docket No. 37851-911

Address all correspondence to:

Stephanie L. Seidman

HELLER EHRMAN WHITE & McAULIFFE LLP

4350 La Jolla Village Drive, 7th Floor

San Diego, California 92122-1246

Telephone: (858) 450-8400

Facsimile: (858) 587-5360

EMAIL: sseidman@hewm.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vega *et al.*
Serial No.: 10/022,249
Filed: December 17, 2001
Customer No.: 24961
Confirmation No.: 7196
For: *HIGH THROUGHPUT DIRECTED
EVOLUTION BY RATIONAL
MUTAGENESIS*
Art Unit: 1631
Examiner: Unassigned

RECEIVED
TECH CENTER 5000
03 JUN -5 PM 2:42
2000/2900

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN
ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Since this Supplemental Information Disclosure Statement is filed before the receipt of a first Office Action on the merits for the above-captioned application, no filing fee is due. If it is determined that a fee is due, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information Disclosure Statement that is prepared in accordance with 37 C.F.R. §§ 1.97-1.98. Form PTO-1449 (1 page) and copies of the cited documents are provided herewith.

The cited documents, listed on Form PTO-1449 and supplied herewith, are in the English language with the exception of items B, C and D, which are in the French language. Items B (WO 01/44809), C (WO 01/86291) and D (WO 02/16606) are provided with certified English language translations (items I, J and K, respectively). Hence, in accordance with the requirements of 37 C.F.R. § 1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant makes known to the Examiner the following International patent that is commonly owned:

U.S.S.N. 10/022,249

Vega *et al.*

Supplemental Information Disclosure Statement

Foreign Patent & Publications							Issue/Pub. Date	Country	Docket No.
0	3	1	8	8	2	0	03/06/03	PCT	37851-912PC

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Applicant respectfully requests that the Examiner review the foregoing references and information and that they be made of record in the file history of the above-captioned application.

* * *

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP

By:


Stephanie L. Seidman
Registration No. 33,779

Date: June 4, 2003

Attorney Docket No. 37851-911

Address all correspondence to:

Stephanie L. Seidman
HELLER EHRMAN WHITE & McAULIFFE LLP
4350 La Jolla Village Drive, 7th Floor
San Diego, California 92122
Telephone: (858) 450-8400
Facsimile: (858) 587-5360
EMAIL: sseidman@hewm.com

FORM PTO-1449

ATTY. DOCKET NO.
37851-911SERIAL NO.
10/022,249LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENTAPPLICANT
Vega, et al.

FILING DATE

GROUP

December 17, 2001

1631

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER								DATE	NAME	CLASS	SUB CLASS	FILING DATE
	A	5	7	9	8	2	0	8	08/25/98	Crea	435	6	11/02/92	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER								DATE	COUNTRY	CLASS	SUB CLASS	Translation Yes No
	B	0	1	4	4	8	0	9	06/21/01	PCT				X
	C	0	1	8	6	2	9	1	11/15/01	PCT				X
	D	0	2	1	6	6	0	6	02/28/02	PCT				X
	E	1	0	2	2	3	3	5	07/26/00	EP				
	F	9	7	3	8	7	2	3	10/23/97	PCT				
	G	9	8	3	2	8	8	0	07/30/98	PCT				
	H	9	9	6	4	5	8	2	12/16/99	PCT				

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

I	Certified English Translation of PCT Patent Application No. WO 01/44809, "Methods for Screening or Assessing the Performance of a Collection of Biological Agents in Living Target Cells, and their Applications."
J	Certified English Translation of PCT Patent Application No. WO 01/86291, "Method for Determining the Titer of Biological Agents in Living Target Cells."
K	Certified English Translation of PCT Patent Application No. WO 02/16606, "Method for Massive Directed Mutagenesis."
L	Xiao et al., "Construction and Screening of a Multi-Point Site-Specific Mutant Library of Subtilisin E with a Set of Oligonucleotides", 40(4):337-344 (1997)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TITLE: HIGH THROUGHPUT DIRECTED EVOLUTION BY RATIONAL MUTAGENESIS